

**REMARKS****Summary of the Office Action**

Claims 1, 3, 8 and 10-12 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lee (US, 6,410,414), in view of Harada et al. (US, 6,476,491).

Claims 9 and 13 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lee and Harada et al., and further in view of Toyosawa et al. (US, 6,441,467).

**Summary of the Response to the Office Action**

Applicants respectfully traverse the assertion made by the Office for at least the following reasons.

**All Claims Define Allowable Subject Matter**

Claims 1, 3, 8 and 10-12 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lee (US, 6,410,414), in view of Harada et al. (US, 6,476,491). And, claims 9 and 13 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lee and Harada et al., and further in view of Toyosawa et al. (US, 6,441,467). Applicants respectfully traverse the rejections for at least the following reasons.

Applicants respectfully bring to the attention of the Examiner the Declaration under 37 C.F.R. § 1.131 filed on November 17, 2005 that establishes an earlier date of invention in this application. Applicants respectfully submit that the Office Action dated December 14, 2005 implicitly acknowledged and accepted this declaration, and Harada et al. (US, 6,476,491) was removed as a prior art. Thus, Harada et al. should be precluded from the prior art in view of the Inventor's declaration. Accordingly, since Harada et al. was incorrectly applied by the Office, the rejection of claims under 35 U.S.C. §103(a) over Lee in view of Harada et al. and rejection of

claims 9 and 13 under 35 U.S.C. §103(a) over Lee, Harada et al., and Toyosawa et al. are improper.

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In light of the arguments presented above, Applicants respectfully request that the rejection of claims under 35 U.S.C. §103(a) be withdrawn. Moreover, Applicants respectfully submit that dependent claims 3 and 9-13 are allowable with regard the independent claims 1 and 8, previously presented, from which they respectfully depend, as well as the individual features that dependent claims 3 and 9-13 recite.

#### **CONCLUSION**

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing all pending claims in condition for allowance. Applicants submit that the claim amendments do not raise new issues or necessitate additional search of the art by the Examiner.

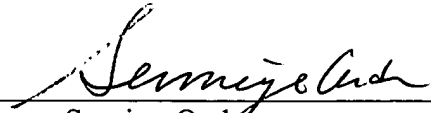
Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite the prosecution. If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension

of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted

**MORGAN, LEWIS & BOCKIUS LLP**

By: \_\_\_\_\_



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